

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:

SUNEDISON, INC., *et al.*,

Reorganized Debtors.<sup>1</sup>

## Chapter 11

Case No. 16-10992 (SMB)

(Jointly Administered)

SUNEDISON LITIGATION TRUST,

Plaintiff,

– against –

GENERAL ELECTRIC COMPANY,

Defendant.

Adv. Pro. No. 18-01433 (SMB)

## **SECOND AMENDED STIPULATION AND ORDER SETTING DISCOVERY SCHEDULE**

**WHEREAS**, the SunEdison Litigation Trust (the “**Plaintiff**”) and General Electric Company (the “**Defendant**”, together with the Plaintiff, the “**Parties**”) enter into a stipulation and order (the “**Stipulation**”) as required by Rule 7026 of the Federal Rules of Bankruptcy Procedure, setting a discovery schedule which Stipulation was “So Ordered” by the Court on November 21, 2020 [Dkt. No. 36]; and

The Reorganized Debtors in these chapter 11 cases, along with the last four digits of each Reorganized Debtor's tax identification number, are as follows: SunEdison, Inc. (5767); SunEdison DG, LLC (N/A); SUNE Wind Holdings, Inc. (2144); SUNE Hawaii Solar Holdings, LLC (0994); First Wind Solar Portfolio, LLC (5014); First Wind California Holdings, LLC (7697); SunEdison Holdings Corporation (8669); SunEdison Utility Holdings, Inc. (6443); SunEdison International, Inc. (4551); SUNE ML 1, LLC (3132); MEMC Pasadena, Inc. (5238); Solaicx (1969); SunEdison Contracting, LLC (3819); NVT, LLC (5370); NVT Licenses, LLC (5445); Team-Solar, Inc. (7782); SunEdison Canada, LLC (6287); Enflex Corporation (5515); Fotowatio Renewable Ventures, Inc. (1788); Silver Ridge Power Holdings, LLC (5886); SunEdison International, LLC (1567); Sun Edison LLC (1450); SunEdison Products Singapore Pte. Ltd. (7373); SunEdison Residential Services, LLC (5787); PVT Solar, Inc. (3308); SEV Merger Sub Inc. (N/A); Sunflower Renewable Holdings 1, LLC (6273); Blue Sky West Capital, LLC (7962); First Wind Oakfield Portfolio, LLC (3711); First Wind Panhandle Holdings III, LLC (4238); DSP Renewables, LLC (5513); Hancock Renewables Holdings, LLC (N/A); EverStream HoldCo Fund I, LLC (9564); Buckthorn Renewables Holdings, LLC (7616); Greenmountain Wind Holdings, LLC (N/A); Rattlesnake Flat Holdings, LLC (N/A); Somerset Wind Holdings, LLC (N/A); SunE Waiawa Holdings, LLC (9757); SunE Minnesota Holdings, LLC (8926); SunE MN Development Holdings, LLC (5388); SunE MN Development, LLC (8669); Terraform Private Holdings, LLC (5993); Hudson Energy Solar Corporation (3557); SunE REIT-D PR, LLC (5519); SunEdison Products, LLC (4445); SunEdison International Construction, LLC (9605); Vaughn Wind, LLC (4825); Maine Wind Holdings, LLC (1344); First Wind Energy, LLC (2171); First Wind Holdings, LLC (6257); and 57533/0003-20022474v1

**WHEREAS**, Plaintiff and Defendant have worked diligently to complete fact discovery on or before April 30, 2020; and

**WHEREAS**, despite the Parties' best efforts and in light of the risks of the spread of COVID-19, fact discovery will not be complete by April 30, 2020 and therefore the Parties seek to extend discovery deadlines by approximately 90 days;

**IT IS HEREBY ORDERED AS FOLLOWS:**

1. Fact discovery shall be completed by **July 30, 2020**.
2. Any party which has the burden of proof on a matter shall submit their expert report by **September 1, 2020**.
3. Rebuttal expert reports, if any, shall be submitted by **October 1, 2020**.
4. Expert discovery shall be completed by **November 2, 2020**.
5. A proposed final pretrial order shall be submitted by **November 16, 2020**.
6. A final pretrial conference shall be held on **November \_\_, 2020**.

*[The remainder of this page is intentionally blank. Signature page to follow]*

**Stipulated and agreed as to form and substance:**

Dated: New York, New York  
March 16, 2020

**COLE SCHOTZ P.C.**

/s/ Daniel F. X. Geoghan  
Warren A. Usatine  
Daniel F. X. Geoghan  
Felice Yudkin  
1325 Avenue of the Americas  
19th Floor  
New York, New York 10019  
Telephone: (212) 752-8000  
Facsimile: (212) 752-8393  
*Counsel to Plaintiff*

Dated: Boston, MA  
March 16, 2020

**CHOATE, HALL & STEWART LLP**

/s/ J.P. Jaillet  
J.P. Jaillet  
Two International Place  
Boston, MA 02110  
Telephone: (617) 248-5259  
Facsimile: (617) 248-4000  
*Counsel to Defendant*

**SO ORDERED:**

Dated: March 17<sup>th</sup>, 2020  
New York, New York

/s/ STUART M. BERNSTEIN  
Honorable Stuart M. Bernstein  
United States Bankruptcy Judge